THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 13517 of 2001

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DATED:20-08-2005

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Between:

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M. Shankaraiah, S/o. Narasimulu,

R/o. Kagazi Maddur Village and Post,

Narasapur Mandal, Medak District.

…Petitioner

and

The Superintending Engineer, Operation Circle,

AP Transco, Medak District, Sangareddy and another

….Respondents

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 13517 of 2001

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ORDER:

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Challenging the proceedings dated 19-05-2001 issued by the first respondent, in not considering the petitioner's appointment as a junior lineman and rejecting his application on the ground that there are no vacancies in the Medak circle, the present writ petition is filed.

The learned counsel for the petitioner contended that there are number of vacancies in the cadre of Junior Lineman, L.D.Cs, Typists and Sub-Engineers in the Medak Circle and out of them 50% vacancies of Junior Lineman are existing as per the B.P.Ms.No.36 and 37 dated 18-05-1997. The first respondent issued paper notification on 23-05-2000 for filling up of the posts of L.D.Cs, Typists and Sub-Engineers in the Medak circle and it clearly indicates that here are existing vacancies to be filled up by ex-casual labourers, village electricity workers, contract labourers. She further contended that the petitioner has been working under the 1st respondent since 1996, and he was fully eligible and qualified for the post of Junior Lineman and therefore the petitioner seeks a direction to the 1st respondent to consider his case by appointing him as a Lineman or in any other suitable post.

On the other hand, learned standing counsel for the respondents contended that there are no vacancies at all to consider the case of the petitioner as lineman and hence his case was rejected.

Except an oral assertion that out of the vacancies in all categories of posts, 50% of the posts of Junior Lineman are existing as per B.P.Ms.No.36 and 37, dated 18-05-1997, no material has been produced before the Court so as to consider the case of the petitioner for the post of Lineman. When there are no posts available in the cadre of Junior Lineman, the question of appointing the petitioner by considering his case as per B.P.Ms.No.36 and 37, dated 18-05-1997 does not arise.

At the stage, the learned counsel for the petitioner contended that though the petitioner is suitable and eligible for the post of L.D.C., typist and Sub-engineer, he is prepared to work even as an attender and he has been working under the organization from 1996 till date and therefore, his case may be considered for any other suitable post.

In view of the above submission, without expressing any opinion on the merits of the case, I feel it appropriate to direct the respondents to consider the case

of the petitioner sympathetically in any suitable future vacancy in accordance with the rules.

Accordingly, the writ petition is disposed of. No order as to costs.

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K.C.BHANU, J.

Dated: 20..08..2005.

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